

THE COMBAT METH ACT

Mr. LEAHY. Mr. President, methamphetamine abuse has increased exponentially in recent years, expanding geographically to reach all corners of the United States. In recent years, the problem has made its way to Vermont. I am concerned about escalating methamphetamine abuse and have worked with other interested Senators to find ways to combat this growing problem.

With Senator FEINSTEIN taking the lead, on July 28, 2005, the Senate Judiciary Committee unanimously reported out the Combat Meth Act, S. 103, with a committee amendment. I worked with Senator FEINSTEIN and the other members of the committee to reach this result.

In September, I worked with Chairman SHELBY and Senator MIKULSKI to take the unusual action of including the Combat Meth Act as an amendment to the Commerce Justice Science appropriations bill. I did this to accommodate Senator FEINSTEIN's request and to try to make progress on this measure. By that action the Senate approved the Combat Meth Act, S. 103, as reported by the Judiciary Committee, as an amendment and then in passage of the bill. House conferees would not agree to the Senate bill. Without agreement on such an authorization, it was not retained in the appropriations conference report.

Last Thursday, I honored the request of Senator FEINSTEIN and worked to clear the Combat Meth Act, S. 103, as reported by the Judiciary Committee, for passage by the Senate as a freestanding bill. It is clear on the Democratic side. It has been clear for days. All Senate Democrats are ready to pass that measure. It is being prevented from passage by an anonymous objection from the Republican side of the aisle.

The Senate's bipartisan bill focuses directly on providing law enforcement and prosecutors the tools they told us they needed. These include putting precursor chemicals behind the pharmacy counters, monitoring and regulating the quantities that can be bought in a 30-day period, and making it harder to smuggle such ingredients into the United States. The Senate bill focuses on prevention, regulation, monitoring, and treatment. Our bill would make it harder for people to enter the nightmarish world of methamphetamine use and abuse, harder for other countries and companies to profit from methamphetamine misery, and easier for law enforcement to combat this problem on the ground.

I know that Senator FEINSTEIN has been working tirelessly for years to do something about this important issue. She has been tenacious and dedicated, and I respect her leadership in this area. She and Senator TALENT know that I have tried to accommodate them and to facilitate passage of this legislation.

ABUSE OF FOREIGN DETAINEES

Mr. LEAHY. Mr. President. The Bush administration has steadfastly refused to address the black mark on our Nation caused by its interrogation policies and practices and the resulting abuse of detainees. Some of us in Congress strongly believe that oversight and accountability are paramount to restoring America's reputation as a human rights leader. We have been stymied in our efforts to learn the truth about how this administration's policies trickled down from offices in Washington to cellblocks in Abu Ghraib, Guantanamo, and Afghanistan.

The administration's effort, led by Vice President CHENEY, to block any legislation that would regulate the treatment of detainees is wrong. Also wrong is the Bush administration's refusal to consider an independent commission to investigate the abuses. It would rather rely on internal, piecemeal investigations conducted within the Defense Department, none of which address the significant role of the Central Intelligence Agency in interrogations.

Given the failure of the Republican-controlled Congress to conduct effective oversight, I support the Levin amendment to the Defense authorization bill to establish an independent commission on the treatment of detainees in U.S. custody. I have spoken many times about the need for a comprehensive, independent investigation into the abuse of detainees. Such an investigation may not be without painful, but accountability is a necessary step if we are to recover from all that has transpired during this administration's watch.

I am not alone in calling for an independent commission. Several organizations, including the American Bar Association, Human Rights First, Amnesty International, and Human Rights Watch, have urged the creation of an independent, bipartisan commission to investigate the prisoner abuses. A letter from eight retired generals and admirals to President Bush asked him to appoint a prisoner abuse commission modeled on the 9/11 Commission. In that letter, the flag officers stated, "internal investigations by their nature suffer from a critical lack of independence. Americans have never thought it wise or fair for one branch of government to police itself."

The 9/11 Commission provides more than a structural model for a new commission; it also provides a lesson in how perseverance can overcome the Bush administration's inclination to secrecy and to refuse to acknowledge the facts. The Bush administration initially opposed the formation of the 9/11 Commission, just as it now opposes a prisoner abuse commission. The administration used the same argument against both commissions. It asserts that its own internal investigations are sufficient.

Ironically, Dr. James Schlesinger, the head of a panel established by Sec-

retary Rumsfeld to investigate the prisoner abuses, addressed this issue in his testimony to the Senate Government Affairs Committee in February 2002, as it debated the need for the 9/11 Commission. He argued for the creation of the 9/11 Commission because "to this point many questions have been addressed piecemeal or not at all. The purpose of the National Commission would be systematically and comprehensively to address such questions and to give a complete accounting of the events leading up to 9/11. In my judgment, such a Commission would serve a high, indeed indispensable, national purpose." This is exactly the same reason we need an independent commission to investigate the prisoner abuse scandals.

Ignoring the problem will not make it go away. Delaying the accounting will not solve the problems. Each week brings new allegations that reveal how much we still do not know. Human rights groups and journalists are doing what they can to bring the truth to light. It is past time for Congress to hold a thorough, oversight investigation. The least Congress should finally do is establish an independent commission to investigate these matters. Rather than wait to read about the latest discovery of abuse in tomorrow's paper, let us at least do that.

After months of delay from the Republican Senate leadership, the Senate finally had an opportunity last month to vote on clear guidance for treatment of detainees in U.S. custody. When we did, the Senate voted overwhelmingly, 90 to 9, in favor of Senator MCCAIN's amendment to the Defense appropriations bill, which I was glad to cosponsor along with Senator DURBIN and others.

That same amendment was adopted a second time to the Defense Authorization bill and I, again, cosponsored it.

Our credibility and reputation as a world leader in human rights has suffered greatly during the last few years. The scandals have put our own troops at risk and undermined their efforts in Afghanistan and Iraq.

Many of us have been working on these issues for years. I first wrote to Condoleezza Rice in 2003, after reports of deaths of detainees were reported from the Bagram base in Afghanistan in late 2002. Like so much we have learned, those first reports came from the press and human rights groups, not the Bush administration.

The Bush administration has threatened to veto any legislation that would regulate the treatment of detainees. Vice President CHENEY is reported to be personally lobbying on this matter.

A group of 28 senior military officers, including GEN John Shalikashvili, recently wrote to Senator MCCAIN in support of his amendments addressing detainee treatment. That letter states:

The abuse of prisoners hurts America's cause in the war on terror, endangers U.S. service members who might be captured by the enemy, and is anathema to the values